

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A8541

Joseph LAKOWICZ

Appln. No.: Not Assigned

Confirmation No.: Not Assigned

Group Art Unit: Not Assigned

Filed: August 5, 2003

Examiner: Not Assigned

For: OPTICAL STRUCTURES FOR METAL-ENHANCED FLUORESCENCE SENSING

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

Lakowicz, "Radiative Decay Engineering: Biophysical and Biomedical Applications," Anal. Biochem., Vol. 298, (2001), pp. 1-24; and

Lakowicz et al., "Radiative Decay Engineering: 2. Effects of Silver Island Films on Fluorescence Intensity, Lifetimes and Resonance Energy Transfer," Anal. Biochem., Vol. 301, (2002), pp. 261-277.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: Not Assigned

application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

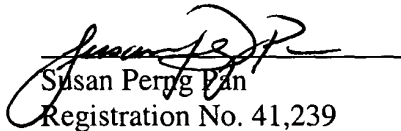
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
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Date: August 5, 2003

Substitute for Form 1449 A & B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	Not Assigned
				Confirmation Number	Not Assigned
				Filing Date	August 5, 2003
				First Named Inventor	Joseph LAKOWICZ
				Art Unit	Not Assigned
Examiner Name	Not Assigned				
Sheet	1	of	1	Attorney Docket Number	A8541

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> <i>(if known)</i>		
		US			
		US			
		US			
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> <i>(if known)</i>			

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Lakowicz, "Radiative Decay Engineering: Biophysical and Biomedical Applications," <u>Anal. Biochem.</u> , Vol. 298, (2001), pp. 1-24.	
		Lakowicz et al., "Radiative Decay Engineering: 2. Effects of Silver Island Films on Fluorescence Intensity, Lifetimes and Resonance Energy Transfer," <u>Anal. Biochem.</u> , Vol. 301, (2002), pp. 261-277.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.